## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

Phillip B. Proctor, Mrs. Tina Proctor,		)	
,	Plaintiffs,	į́)	
v.		)	JUDGMENT
United States of America,		)	No. 5:11-CV-27-BR
	Defendant.	)	1.0.0.11 O V 27 BIC

## **Decision by Court.**

This action came before Senior United States District Judge W. Earl Britt for the consideration of the defendant's motion to dismiss and motion to seal.

**IT IS ORDERED, ADJUDGED AND DECREED** that Defendant's motion to dismiss (DE # 10) and its motion to seal (DE # 13) are GRANTED. The Clerk of Court is DIRECTED to maintain Exhibits A and B (DE ## 11-1, 11-2) to defendant's memorandum in support of its motion to dismiss under seal. The Clerk is also DIRECTED to enter judgment in favor of defendant and close the case.

## This judgment filed and entered on August 17, 2011, and served on:

Jeffrey S. Nowak (via CM/ECF Notice of Electronic Filing) Harold E. Lucas (via CM/ECF Notice of Electronic Filing) W. Ellis Boyle (via CM/ECF Notice of Electronic Filing)

August 17, 2011 /s/ Dennis P. Iavarone,
Clerk of Court